

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HERMÈS INTERNATIONAL and HERMÈS OF
PARIS, INC.,

Plaintiffs,

-against-

MASON ROTHSCHILD,

Defendant.

CIVIL ACTION NO.

22-CV-00384 (JSR)

PLAINTIFFS' PROPOSED VOIR DIRE QUESTIONS

Plaintiffs Hermès International and Hermès of Paris, Inc. (jointly “Hermès”) respectfully submit the following proposed questions for the voir dire examination of potential jurors in this case:

A. Parties, Witnesses, and Counsel

1. Do you or a family member have any employment or business relationships with Hermès?
2. Do you have any relationship at all with Hermès or any of the following witnesses Hermès may call to testify at this trial: Robert Chavez, Nicolas Martin, Maximilien Moulin, Ambre-Elise Binoche, Luisa Maria Vittadini, Boriana Guimberteau, Kenneth Loo, Jesse Lee, Bruce Isaacson, Scott Duke Kominers, or Kevin Mentzer?
3. Hermès is represented by the BakerHostetler LLP law firm. Do you have any relationship with that law firm or with the individuals representing Hermès in this trial, namely: Gerald Ferguson, Oren Warshavsky, Deborah Wilcox, Jason Oliver, Lisa Gehman, Jessica Fernandez or Francesca Rogo?
4. Do you or a family member have any employment or business relationships with Mason Rothschild who is also known as Sonny Estival?
5. Do you have any relationship at all with Mason Rothschild or any of the following witnesses Mason Rothschild may call to testify at this trial: James Kerr, Blake Gopnik, or David Neal?
6. Mason Rothschild is represented by the Lex Lumina PLLC and Harris St. Laurent Wechsler LLP law firms. Do you have any relationship with either of those law firms or

with the individuals representing Mason Rothschild in this trial, namely: Rhett Millsaps II, Christopher Sprigman, Mark McKenna, Rebecca Tushnet, Jonathan Harris, or Adam Oppenheim?

7. Have you encountered any of the following news reports, articles or publications where Mason Rothschild and/or his counsel have discussed the claims in this case or the positions of either party: (i) *NYU Law Virtual Forum*, uploaded to YouTube on April 6, 2022: “NFTs Explained ... To the Extent Possible”; (ii) *NYU Law News*, dated June 23, 2022: “At NYU Law Forum, Experts Examine the Rise of NFTs”; (iii) *Women’s Wear Daily*, dated November 22, 2022: “EXCLUSIVE: Mason Rothschild Speaks About Hermès NFT Case”; or (iv) *Yahoo! Finance*, dated November 22, 2022, repost of *Women’s Wear Daily*, “EXCLUSIVE: Mason Rothschild Speaks About Hermès NFT Case”?
8. Have you read any other articles about this case in the newspaper or online?

B. Subject Matters Relevant to Facts in Dispute

1. Do you own any non-fungible tokens (“NFTs”)
 - a. If so, which ones?
2. If you own any NFTs, where do you tend to shop for NFTs?
3. Do you have any negative views for any reason toward Hermès or Mason Rothschild?
4. Do you consider yourself a collector of any form of goods or items, including without limitation, artwork, baseball cards, and/or memorabilia?
5. Do you own any form of cryptocurrency?
 - a. If yes, what kind of cryptocurrency do you own?
6. Do you subscribe to or otherwise participate in virtual worlds, including the following platforms: Sandbox or Decentraland?
7. Do you or do any members of your family or any of your close friends work for a company that creates or sells NFTs?
 - a. If yes, please describe.
8. Do you have any education, training, or experience in art or art history?
9. Do you have any education, training, or experience in NFTs or cryptocurrency?
10. Do you have any education, training, or experience in market research, surveys, or polling?

11. Do you have any education, training, or experience in advertising, public relations, or marketing?
12. Do you have any education, training, or experience in consumer psychology?
13. Do you have any education, training, or experience in law?
14. Do you own a trademark, copyright, or patent?
15. Have you ever been accused of infringing a trademark, copyright, or patent?
 - a. If yes, please describe.
16. Have you or an immediate family member ever been involved in a lawsuit?
17. Do you have any strong views about lawsuits that you think might affect your ability to be impartial in this case?
18. Do you have any strong feelings concerning foreign corporations or individuals that affect your ability to be impartial in this case?
19. Do you have any strong feelings concerning luxury goods or luxury brands that affect your ability to be impartial in this case?
20. Based on what I have told you about the parties' allegations and the questions I have asked you, does anyone here have any concerns about your ability to serve as a fair and impartial juror in this case?

Dated: January 25, 2023
New York, New York

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